

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JEREMY SCHOEMAKER,**

**Plaintiff,**

**v.**

**DAVID SULLIVAN, individually and  
d/b/a BIG BLUE DOTS,**

**Defendant.**

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**CASE NO. 8:09CV441**

**ORDER**

This matter is before the Court on the Defendant's Motion for Leave to File a Response to Plaintiff's Sur-Reply Brief (Filing No. 25). Plaintiff has objected to Defendant's motion, arguing its sur-reply does not raise new issues. Defendant asserts that Plaintiff has introduced a new theory for personal jurisdiction, citing five new cases in support of his theory. The proposed brief is attached to Defendant's motion. Plaintiff has objected to Defendant's motion, arguing its sur-reply does not raise new issues. In the interest of justice, the Court will grant leave to Defendant to file its response. The Court will not grant leave for further argument to either party. Accordingly,

**IT IS ORDERED:**

1. Defendant's Motion for Leave to File a Response to Plaintiff's Sur-Reply Brief (Filing No. 25) is granted; and
2. Defendant shall immediately file, as a separate docket entry, the brief attached to its motion.

DATED this 22<sup>nd</sup> day of March, 2010.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge